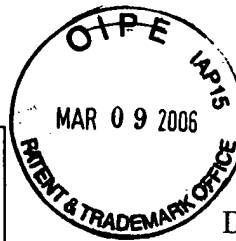


I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 847893475 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 9, 2006

Signature: \_\_\_\_\_

(Grace Yb)



Docket No.: 278012001420  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Carlos F. BARBAS, III et al.

Application No.: 09/765,555

Confirmation No.: 1190

Filed: January 19, 2001

Art Unit: 1638

For: METHODS AND COMPOSITIONS TO  
MODULATE EXPRESSION IN PLANTS

Examiner: M. Ibrahim

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action dated September 9, 2005, for which a response was due on December 9, 2005. Filed herewith is a Petition and fee for a three-month extension of time, thereby extending the deadline for response to March 9, 2006. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 13 of this paper.